LAND SURVEYORS ACT

CHAPTER 58:04

Act
33 of 1996

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CHAPTER 58:04

LAND SURVEYORS ACT

An Act to provide for the registration of Land Surveyors, Trinidad and Tobago Land Surveyors and Land Surveying Graduates, for the regulation of the practice of surveying and for other connected matters. 33 of 1996.

[14TH MARCH 1997] Commencement. [54/1997].

PART I

PRELIMINARY

1. This Act may be cited as the Land Surveyors Act. Short title.

2. (1) In this Act— Interpretation.

"Board" means the Land Survey Board of Trinidad and Tobago established under section 3 of this Act;

"boundary beacon/monument" means a post, stake, nail, pit, trench, survey mark or any other object, thing or device used to mark or designate a boundary that defines legal rights in land;

"cadastral surveying" means determining the form, contour, position, area, shape, height, depth or nature of any part of the earth or of any natural or artificial features, and the position, length, and direction of bounding lines on, below or above any part of the earth for the purposes of making legal plans defining boundaries and registering land or documents with appropriate authorities;

"Committee" means the Land Surveyors Disciplinary Committee established under section 36;

"Director of Surveys" means the Director of Surveys in the Public Service whose functions are outlined in section 13;

"Institute" means the Institute of Surveyors of Trinidad and Tobago;

"land" includes subsoil, airspace, water, marine areas and interests in or over land;

"land surveying" means any process of determining, mapping or planning the position of or locating a point, a parcel of land, a body of water, or a structure, in relation to survey marks or any other structure whether man-made or natural or determining, mapping or planning the dimensions or form of a parcel of land or body of water;

"Land Surveying Graduate" means a land surveying graduate registered under section 17;

"Land Surveyor" means a land surveyor registered under section 17;

"Minister" means the Minister to whom responsibility for lands and surveys is assigned;

"nominated member" means a member of the Board appointed by the Minister on the recommendation of the Institute or the Director of Surveys;

"Registrar General" means the Registrar General established under the Registrar General's Act; Ch. 19:03.

"Registrar-Secretary" means the Secretary of the Board appointed under section 8;

"survey mark" means a mark established by a land surveyor for the purpose of propagating survey co-ordinates;

"surveying" includes cadastral surveying and land surveying;

"surveyor" includes a hydrographer, engineer surveyor, cadastral and land management surveyor, photogrammetrist, geodesist or cartographer or as may be prescribed by the Board;

"Trinidad and Tobago Land Surveyor" means a land surveyor who is qualified to perform cadastral surveys and is registered and licensed in accordance with section 17.

(2) A reference to a "Land Surveyor" or to a "Licensed Surveyor" in any other written law having effect at the coming into operation of this Act shall be read as a reference to a "Trinidad and Tobago Land Surveyor" within the meaning of this Act.

PART II

THE LAND SURVEY BOARD

Incorporation.

3. There is hereby established a body corporate to be called the Land Survey Board of Trinidad and Tobago hereinafter referred to as "the Board".

Composition of Board.

4. (1) The Board shall consist of members appointed by the Minister as follows:

(a) the Director of Surveys, who shall be Chairman; and

(b) seven persons, being citizens of Trinidad and Tobago, of whom—

(i) four shall be Land Surveyors nominated by the Institute of Surveyors of Trinidad and Tobago and of those four at least two shall be Trinidad and Tobago Land Surveyors;

(ii) two Land Surveyors nominated by the Director of Surveys and of those two at least one shall be a Trinidad and Tobago Land Surveyor;

(iii) one person who, not being a member of the governing body of a self-regulating licensing body under any other Act, nor being registered under this Act, is by reason of experience in professional or public life qualified to serve on the Board.

(2) In respect of an appointment made under subsection (1)*(b)*(iii), such appointment shall be made after consultation with the Director of Surveys and the Institute.

(3) In respect of the surveyors appointed to the Board, each shall have been engaged in the practice of surveying for a minimum period of five years.

Duties and functions of the Board.

5. The duties and functions of the Board shall be to—

(a) register applicants who are fit and proper

persons and possess the prescribed qualifications and experience;

(b) prescribe the qualifications necessary in respect of each class of surveyor and provide for the examination of applicants for registration under this Act;

(c) promote and maintain high standards of professional education and conduct among persons engaged in the profession of surveying in Trinidad and Tobago;

(d) monitor adherence to and investigate breaches of the Code of Ethics;

(e) cause disciplinary proceedings to be taken in accordance with the provisions of this Act;

(f) negotiate and administer reciprocal arrangements with survey boards or other similar authorities of other countries for the purpose of securing uniformity and reciprocity in the education, training and recognition of persons engaged in surveying;

(g) advise the Minister on amendments to the law relating to surveying as it considers necessary;

(h) prescribe requirements for the continuing professional development of all surveyors;

(i) perform such other functions as may be conferred on it by this Act or any other written law.

Tenure of office.

6. (1) A member shall hold office for a period of three years and be eligible for reappointment.

(2) No person appointed under section 4*(b)* shall be appointed for more than two consecutive terms.

(3) The office of a member becomes vacant where—

(a) he dies;

(b) his term of office expires;

(c) he resigns by written notice to the Minister;

(d) in respect of a member nominated by the Institute, he ceases to be a member of the Institute; or

(e) he is removed by the Minister where he—

(i) is unable to function because of physical or mental illness;

(ii) is absent from three consecutive meetings of the Board without the permission of the Chairman;

(iii) is guilty of misconduct in respect of his duties;

(iv) is sentenced to imprisonment without the option of a fine or is convicted of an offence involving dishonesty;

(v) is declared bankrupt in accordance with the laws of Trinidad and Tobago or any country;

(vi) is disqualified or suspended, otherwise than at his own request, from practising his profession in Trinidad and Tobago or any other country by an order of any competent authority;

(vii) contravenes this Act.

(4) Where a member, is by reason of illness or otherwise, unable to perform his functions or unable to attend meetings of the Board, the Minister may, rather than declare the office vacant, appoint another suitably qualified person to act as an alternate member for the unexpired remainder of the term of the predecessor on the recommendation of the Institute or the Director of Surveys, as the case may be.

(5) Upon the request of the Institute or of the Director of Surveys, the Minister may appoint an appropriate person to be an alternate of the nominated member and that person, while acting in the absence of the member, shall be deemed to be a member of the Board and shall enjoy all the powers, rights and privileges and be subject to the duties of that member.

(6) The appointment or termination of membership of the Board whether by death, resignation, revocation or otherwise shall be published in the *Gazette*.

(7) Notwithstanding any defect in the appointment of any of its members, the Board shall be deemed to be properly constituted.

(8) Notwithstanding that the term of office of a nominated member may have expired, he shall, unless he sooner vacates his office under subsection (3), continue in office until his successor is appointed.

Remuneration.

7. The Board shall pay its members such remuneration as the Minister approves.

Appointment of Registrar-Secretary.

8. The Minister shall upon the recommendation of the Director of Surveys made after consultation with the Institute appoint a Trinidad and Tobago Land Surveyor to be Registrar-Secretary of the Board.

Seal.

9. (1) The Board shall have a seal which shall be kept in the custody of the Chairman or Registrar-Secretary and may be affixed to instruments in the presence of the Chairman or the Registrar-Secretary.

(2) The seal of the Board shall be attested to by the signature of the Chairman and the Registrar-Secretary.

(3) All documents other than those required by law to be made under seal and all decisions of the Board may be signified under the hand of the Chairman or Registrar-Secretary.

Meetings of Board.

10. (1) The Board shall meet at least once every month at a time and place to be fixed by the Board and not less than seven days notice of any meeting together with the agenda shall be given to members of the Board.

(2) Where two members sign a written request directed to the Chairman setting out the object of a proposed meeting of the Board, the Chairman shall duly convene such a meeting within seven days of the receipt of the request.

(3) The Chairman may at any time convene an emergency meeting whenever he thinks it necessary to do so.

(4) The Chairman shall preside al all meetings but, in his absence, the other members of the Board shall choose one of their number to act as Chairman.

(5) Each member of the Board is entitled to one vote on a matter arising for determination by the Board and, in the event of an equality of votes, the Chairman or member acting as Chairman shall have a second or casting vote.

(6) Subject to this Act, the business of the Board shall be conducted in such manner as it shall determine.

Quorum.

11. (1) At any meeting of the Board, a quorum is constituted where at least four members are present and the decisions of the Board shall be by a majority of the votes of members present and voting.

(2) No decision shall be taken on any matter related to cadastral surveying unless at least two members who are Trinidad and Tobago Land Surveyors are present.

Liability of Board members.

12. (1) No member of the Board is personally liable in any action or proceeding for or in respect of any act or matter done or omitted to be done in good faith in the exercise or the discharge or purported discharge of any duty or function under this Act.

(2) Members of the Land Survey Board appointed or nominated under the repealed Ordinance and holding office at the commencement of this Act shall continue to hold office as members of the Board established by this Act until the appointment of a new board.

PART III

THE DIRECTOR OF SURVEYS

The Director of Surveys.

13. The Director of Surveys shall—

(a) administer, co-ordinate, maintain and extend geodetic control networks, traverses, precise levelling or other precision measurements forming the National Survey Control System,

and maintain the salient permanent reference marks governing or providing subsidiary controls for surveys;

(b) implement and administer such examination and approval procedures as are approved by the Board for ensuring—

(i) the maintenance of accuracy and standards in surveys for land title, leases or tenure purposes under any Act;

(ii) the integration of surveys within the survey system; and

(iii) the integrity of cadastral survey records;

(c) set standards for the format in which digital data should be presented;

(d) produce and maintain topographic maps, hydrographic charts, photogrammetric data and mapping derived from cadastral and topographic information including related thematic and special purpose mapping, hydrographic charting and digital records;

(e) facilitate the co-ordination of aerial photography required for government purposes and capable of being used in the production of maps;

(f) promote the integration of mapping geographically based information and land related information with the information system requirements;

(g) specify requirements for and, where appropriate, arrange surveys for the issue of title or affecting tenure or disposition of State Land;

(h) receive, hold, distribute, reproduce and sell, topographic, cadastral, and derived maps, aerial photographs and other survey and mapping documents resulting from activities under this Act and required for government or public use;

(i) authorise and, where appropriate, charge for the use or reproduction of survey and mapping information recorded by the Department of Lands and Surveys in digital form;

(j) provide surveys, mapping, land information and related services;

(k) co-ordinate as necessary with local and international agencies on the exchange of surveys, mapping and land information data.

Survey Register and Index Maps.

14. (1) The Director of Surveys shall be the custodian of a Survey Register and appropriate index of survey plans in which any survey made by a Trinidad and Tobago Land Surveyor shall be registered.

(2) Any survey entered in the Survey Register or Index Map shall be identified in such manner as may be necessary or expedient to facilitate the use of the Register or Index Map.

(3) Any person may, on payment of the prescribed fee and subject to such conditions as may be prescribed by the Board, make a search or examine the Survey Register and obtain copies of any survey contained therein.

Aerial Surveys.

15. (1) No person shall carry out any aerial survey within the air space of Trinidad and Tobago for use in mapping, remote sensing or similar purposes without first applying for permission in writing, giving at least one month's notice of the intended date of the survey and such person shall file, in addition to the application, specifications for the aerial survey and a work programme outlining the use to which the data shall be put.

(2) Where the Director of Surveys grants permission to conduct an aerial survey, he may impose such conditions, restrictions or limitations as he deems necessary in respect of the manner, area and time in which the survey shall be carried out and he may further impose limitations on the use of the data collected.

(3) Any person who has carried out an aerial survey shall, if the Director of Surveys so requires, in writing—

(a) permit the Director of Surveys or his nominee to inspect all the records of the aerial survey;

(b) supply the Director of Surveys, at the least possible cost, with copies of the aerial survey records or images;

(c) deliver to the Director of Surveys for his permanent custody technical specifications of the survey on completion of the survey.

(4) Subsection (1) does not apply to a person who is registered as a photogrammetrist under this Act, but any such person shall—

(a) wherever practicable, give to the Director of Surveys prior notice of any intended aerial survey;

(b) in respect of every aerial survey he makes, comply with the requirements of subsection (3).

(5) The supply of any material or information to the Director of Surveys under this section shall not in any way breach the confidentiality of a client's information, copyright therein or professional code of ethics of the person supplying them or of any other owner of such copyright.

(6) In this section, "aerial survey" means collecting information about land or marine topography or resources through the use of airborne vehicles equipped with recording devices such as cameras, scanners or other recorders utilising any electromagnetic medium.

PART IV

REGISTRATION

Application for registration.

16. (1) An application for registration as a—

(a) Land Surveying Graduate;

(b) Land Surveyor;

(c) a Trinidad and Tobago Land Surveyor,

shall be made to the Board on the prescribed form and shall be accompanied by the prescribed fee.

(2) An applicant for registration shall, if the Board so requires—

(a) furnish the Board with such information, papers or documents as it specifies; and

(b) verify by statutory declaration any information furnished for the purpose of the application.

Qualification for registration.

17. (1) A person shall be registered as a Land Surveying Graduate if he—

(a) is a person of good character and reputation; and

(b) possesses the prescribed academic qualifications.

(2) A person shall be registered as a Land Surveyor if he—

(a) (i) is a person of good character and reputation and a fit and proper person to be so registered;

(ii) possesses the prescribed academic qualifications;

(iii) has gained such practical experience in a field of surveying as is prescribed; or

(b) is otherwise qualified as prescribed.

(3) A person shall be registered as a Trinidad and Tobago Land Surveyor if he—

(a) is a person of good character and reputation and is a fit and proper person to be so registered;

(b) has gained such experience in cadastral surveying as is prescribed; and

(c) is otherwise qualified as prescribed,

and the Board shall issue a licence to the applicant authorising him to perform cadastral surveys.

(4) Upon registration the Board shall issue a certificate of registration.

Annual registration.

18. (1) Registration under this Act shall remain in force until the 31st December after the grant of registration and may be renewed for successive periods of one year expiring on 31st December.

(2) An application for renewal of registration shall be made to the Board in writing on the prescribed form.

(3) An application for renewal of registration shall be delivered to the Registrar-Secretary not earlier than 1st October and not later than the 30th November preceding the expiry of registration but the Board may, if it thinks fit, consider and determine an application for renewal of registration notwithstanding that it is delivered out of time.

(4) All applications for registration or renewal shall be acknowledged forthwith.

(5) Any person who is in the service of the Government of Trinidad and Tobago as a Land Surveyor or a Trinidad and Tobago Land Surveyor and registered under this Act, shall have his registration renewed without charge.

Suspension for non-payment of fees.

19. (1) The Board may, after due notice, suspend the registration of a person who is in default of payment of any amount owed to the Board for a period of more than three months.

(2) Notice of the date of the suspension shall be given to the person concerned and, in the case of a Trinidad and Tobago Land Surveyor, to the Registrar General.

(3) The suspension shall be lifted where all moneys owed to the Board and a penalty of one hundred dollars are paid and, in the case of Trinidad and Tobago Land Surveyors, the Registrar General shall be notified.

Register of Graduates and Surveyors.

20. (1) The Registrar-Secretary shall keep a Register of all Land Surveying Graduates, Land Surveyors and Trinidad and Tobago Land Surveyors.

(2) The Registrar-Secretary shall also record in the Register the class of surveying that each surveyor is qualified to practise and such other information as may be prescribed.

(3) The Registrar-Secretary shall not later than 1st March in each year prepare a list showing the names and addresses of all persons registered under this Act as of the preceding 1st February.

(4) In respect of the list referred to in subsection (3), the Registrar-Secretary shall—

(a) send a copy of the list—

(i) to the Director of Surveys; and

(ii) to the Institute of Surveyors of Trinidad and Tobago;

(b) send a copy of so much of the list as relates to Trinidad and Tobago Land Surveyors to the Registrar General;

(c) cause the list to be published in the *Gazette*.

(5) The Registrar-Secretary shall forthwith cause to be removed from every register the name of every person who dies or ceases for any other reason to be registered under this Act.

Registration records open to public.

21. The Registrar-Secretary shall, upon request and on payment of the prescribed fee, provide copies of registration records.

PART V

TRINIDAD AND TOBAGO LAND SURVEYORS

Duties of a Trinidad and Tobago Land Surveyor.

22. (1) A Trinidad and Tobago Land Surveyor—

(a) shall make and preserve exact and regular field notes of all his surveys and shall provide copies of them to any other Trinidad and Tobago Land Surveyor for a reasonable charge;

(b) shall survey any holding or land for the purpose of preparing a plan to be attached to or referred to in any document or instrument purporting to confer, declare, transfer, limit, extinguish or otherwise deal with or affect any right, title or interest whether vested or contingent to or over any holding or land, being a document or instrument which is required to be registered under any law relating to the registration of title to land or transactions in land;

(c) shall perform any survey that affects or may affect the definition of the boundaries, or the location

of a boundary beacon/monument on any holding of land registered or to be registered under any law relating to the registration of land or of title to land;

(d) may examine under oath any person concerning a line, boundary, corner or post to assist him in ascertaining its true position;

(e) or any person authorised in writing by him may, upon giving such notice as may be prescribed, enter any land at a reasonable hour for the purpose of performing a cadastral survey and may do all such things as are necessary for that purpose.

(2) The provisions of subsection (1)*(e)* do not affect, limit or restrict the right of any person to compensation for actual injury or damage caused by a person exercising the power conferred by that subsection.

(3) Every map, plan or diagram of any land attached to any document tendered for registration under any law relating to the registration of land or title to land shall be certified by a Trinidad and Tobago Land Surveyor and be registered with the Director of Surveys.

(4) Every person registered as a Trinidad and Tobago Land Surveyor is entitled to use the description "Trinidad and Tobago Land Surveyor" or the abbreviation "T.T.L.S.".

(5) Any person not being a Trinidad and Tobago Land Surveyor, who performs the duties of a Trinidad and Tobago Land Surveyor, is guilty of an offence and liable on summary conviction to a fine of ten thousand dollars and imprisonment for six months.

Examination under oath.

23. (1) Where a Trinidad and Tobago Land Surveyor has reason to believe that a person has information concerning a line, boundary, corner or post that may assist him in ascertaining its true position or has a plan or other document concerning a line, boundary, corner or post and that person has refused to give the information or to produce the plan or other document to the Trinidad and Tobago Land Surveyor while being examined under

section 22, a Judge of the High Court, upon an application being made, may order a *subpoena* to issue out of the Court commanding such person to appear before the Trinidad and Tobago Land Surveyor at the time and place specified in the *subpoena* and to bring with him any plan or other document specified therein.

(2) The *subpoena* shall be served personally on the person named in it and he shall be tendered his reasonable expenses.

(3) Every person who is served with a *subpoena* under this section and who has been tendered his reasonable expenses and who fails to appear before the Trinidad and Tobago Land Surveyor in accordance with the *subpoena* or fails to produce any plan or other document specified in the *subpoena* or to give such information as he has respecting the line, boundary, corner or post in question is guilty of contempt of the High Court.

(4) In this section, "reasonable expenses" means such amount as is payable to a witness required, under *subpoena,* to attend civil proceedings in the High Court.

Disposition of Notes of deceased Trinidad and Tobago Land Surveyor.

24. (1) Where a Trinidad and Tobago Land Surveyor has died and no arrangements have been made within six months of his death to place his field notes, records and indices in the custody of a Trinidad and Tobago Land Surveyor in active practice, the Board shall cause such field notes, records and indices to be delivered by the personal representative of the deceased to the Director of Surveys who shall hold them for the benefit of the estate for a period not exceeding five years and, upon expiry of that period, such field notes, records and indices become the property of the State and may be disposed of by the Director of Surveys in any manner he considers proper.

(2) The Director of Surveys shall exhibit or give copies of such field notes, records and indices as are in his custody to any person for a reasonable charge.

Certification by a Trinidad and Tobago Land Surveyor. Ch. 56:02.

25. Notwithstanding the provisions of the Real Property Act, a certificate under the hand of any Trinidad and Tobago Land Surveyor upon any map or plan that he has personally surveyed

the land comprised therein and that the map or plan is a correct delineation thereof or a subdivision thereof, as the case may be, shall have the same force and effect as a declaration by that Trinidad and Tobago Land Surveyor to the like effect.

Transitional.

26. Notwithstanding any other provision contained in this Act, a person who immediately before the commencement of this Act was licensed to practise as a Land Surveyor shall, subject to the payment of any prescribed fee upon the commencement of this Act, be licensed under this Act to perform cadastral surveys and shall be registered as a Trinidad and Tobago Land Surveyor.

PART VI

PARTNERSHIPS, ASSOCIATIONS, CORPORATIONS

Registration.

27. (1) Except as provided by this section no partnership, association of persons or corporation shall be registered as a Land Surveyor or a Trinidad and Tobago Land Surveyor unless it applies to the Board for registration and fulfils the requirements of subsection (2).

(2) An application for registration by a partnership, association of persons or corporation shall contain the following:

(a) the names and addresses of all partners, members, officers or directors, as the case may be;

(b) the names of all partners, members, directors or full-time employees, as the case may be, who are Land Surveyors or Trinidad and Tobago Land Surveyors who will be in charge of surveying on its behalf;

(c) in the case of a corporation, proof that a majority of each class of its shares is owned and registered in the name of one or more of its directors who are Land Surveyors or Trinidad and Tobago Land Surveyors.

Issue of certificate of registration.

28. Where the applicant complies with the provisions of section 27, the Board shall register the partnership, association or corporation, as the case may be and issue a certificate of

authorisation thereby authorising the holder to engage in the practice of surveying.

Change in particulars.

29. (1) Whenever there is a change in the particulars given in an application, the holder of the certificate shall notify the Registrar-Secretary of the change within thirty days and the Registrar-Secretary may revoke the certificate until such time as a new application is made and registered.

(2) Failure to notify the Registrar-Secretary may result in the imposition, by the Board, of a fine not exceeding ten thousand dollars.

PART VII

REGULATION OF PRACTICE

Professional indemnity insurance.

30. (1) The Board shall cause to be established a scheme of professional indemnity insurance within eighteen months of the commencement of this Act and such scheme shall be compulsory for all surveyors, who provide services in any specified class of surveying, to members of the public.

(2) For the purposes of this section, a class of surveying may be specified—

(a) in relation to a category of surveys or a type of user of surveys; or

(b) with respect to any other consideration which the Board deems necessary having regard to the protection of the public.

Compensation Fund.

31. (1) The Board shall maintain a fund known as the "Compensation Fund" and shall hold it in trust for the purposes of this section.

(2) The Compensation Fund shall consist of—

(a) all monies paid under subsection (3) by persons registered under this Act;

(b) all monies earned from the investment of monies of the Fund; and

(c) all monies recovered under section 32(3).

(3) Every person registered under this Act who engages in private practice shall, unless he is exempted by regulations, pay into the Compensation Fund such sum as is prescribed.

(4) Surplus monies in the Compensation Fund not immediately required for any other purpose may be invested in securities in which trustees are authorised by law to invest.

Grants paid out of Compensation Fund.

32. (1) The Board may make a grant from the Compensation Fund to relieve or mitigate loss sustained by any person in consequence of death, dishonesty or negligence of a Land Surveyor or Trinidad and Tobago Land Surveyor notwithstanding that after the commission of the act of dishonesty or negligence the Land Surveyor or Trinidad and Tobago Land Surveyor ceased to be registered under this Act.

(2) No grant shall be paid out of the Compensation Fund unless notice in writing of the loss is received by the Registrar-Secretary within six months after the loss came to the knowledge of the person suffering the loss or within such further time, not exceeding eighteen months, as in any case may be allowed by the Board.

(3) When a grant is made under this section, the Board is subrogated to the amount of the grant to any rights or remedies to which the person receiving the grant was entitled on account of the loss in respect of which the grant was made against the person registered under this Act or any other person or, in the event of the death or insolvency or other disability of such registered person or other person, against his estate.

(4) No person, to whom a grant is made under this section or, in the event of his death, insolvency or other disability, his estate, shall receive anything from the estate of the person registered under this Act in respect of the loss for which the grant was paid until the Board has been reimbursed the full amount of the grant.

(5) Where a grant has been paid under this section and the person registered under the Act has been declared bankrupt, the Board may prove against the bankrupt's estate for the full

amount of the claim of the person to whom the grant was made and receive all dividends on such amount until the Board has been reimbursed for the full amount of the grant.

Delegation.

33. (1) The Board may delegate any of its powers conferred on it in this Part to a committee of the Board and, whether or not the Board has made such delegation, it may also appoint a surveyor who has been in practice for a minimum period of five years to be a referee and delegate to him any of the powers conferred upon it by this section that are not delegated to a committee.

(2) Where the Board has delegated any of its powers under this section to a committee or to a referee, the committee or referee, as the case may be, shall report to the Board as the Board requires.

Code of Ethics.

34. The Board shall prepare and publish a Code of Ethics designed primarily for the protection of the public, which standards persons registered under this Act must subscribe to and follow in the practice of land surveying.

PART VIII

DISCIPLINARY PROCEEDINGS

Application of Part.

35. This Part applies to persons registered under this Act and to holders of Certificates of Authorisation.

Disciplinary Committee.

36. (1) The "Land Surveyors Disciplinary Committee" (hereinafter called "the disciplinary committee") is hereby established for the purpose of hearing and determining complaints brought before it.

(2) The Disciplinary Committee shall consist of six members appointed by the Minister after consultation with the Director of Surveys and the Institute of whom—

(a) one shall be an Attorney-at-law of at least ten years standing, who shall be the Chairman;

(b) five shall be Land Surveyors, of whom not fewer than two shall be Trinidad and Tobago Land Surveyors nominated by the Institute.

Tenure.

37. (1) Subject to this Act, a member of the Disciplinary Committee shall be appointed for a term not exceeding three years, and upon the expiration of his term of office, shall be eligible for reappointment.

(2) The office of a member of the Disciplinary Committee becomes vacant where—

(a) he dies;

(b) his term of office expires;

(c) he resigns by written notice addressed to the Minister; or

(d) he is removed from office for any of the following reasons:

(i) he becomes a person of unsound mind;

(ii) he is guilty of misconduct in relation to his duties;

(iii) he is sentenced to imprisonment without the option of a fine or is convicted of an offence involving dishonesty;

(iv) he is declared bankrupt in accordance with the laws of Trinidad and Tobago;

(v) he is unable to perform his functions because of illness or for any other reason.

(3) Where a member is by reason of illness or otherwise, unable to perform his functions as a member or unable to attend meetings of the Board the Minister may, rather than declare the office vacant, appoint another suitably qualified person to act as an alternate member on the recommendation of the Institute or the Director of Surveys, as the case may be.

(4) Upon the office of a member of the committee becoming vacant, a person shall be appointed to the vacant office in accordance with the provisions of this Act and where the office becomes vacant before the expiration of the term, the person appointed to fill that vacancy shall be appointed for the balance of the term remaining.

Remuneration.

38. The members of the Disciplinary Committee shall be entitled to receive such remuneration as may be determined by the Minister.

Committee to regulate its procedure.

39. Subject to this Act, the Disciplinary Committee may make rules to regulate its procedure.

Expenses of Committee.

40. Expenses incurred by the Disciplinary Committee in the discharge of its functions shall be met from the budget of the Lands and Surveys Division.

Procedure for hearing complaints.

41. (1) Where a person alleges that he has been aggrieved by an act of professional misconduct or default committed by a person registered under this Act, he may apply to the Board by way of letter to require that person to answer the allegations.

(2) For the purposes of any application made to it, the Committee shall have the powers of the High Court to summon witnesses, call for the production of books and documents and examine witnesses and parties concerned on oath.

(3) Where in any proceedings before the Committee a person so conducts himself that had he been in proceedings before the High Court he would have been held in contempt, the Committee may make application to the High Court in accordance with rules made by the Rules Committee established by the Supreme Court of Judicature Act, for an order for committal. Ch. 4:01.

Screening of complaints.

42. (1) The Board may by resolution appoint the Registrar-Secretary to pre-examine all or any class of complaints made against persons registered under this Act and, in such pre-examination, the Registrar-Secretary may call upon expert advice for the better examination of complaints.

(2) Where a resolution mentioned in subsection (1) is in force, the Registrar-Secretary shall, in relation to any complaint that he is by such resolution appointed to pre-examine, do one of the following:

(a) refer the complaint to the Board for the Board's attention or for instructions;

(b) undertake a preliminary investigation regarding the complaint; or

(c) recommend to the Board that no further action be taken, if he is of the opinion that the complaint is frivolous or without basis or, if proven, would not constitute conduct unbecoming a Land Surveyor.

(3) Where a preliminary investigation is made regarding a complaint, the Registrar-Secretary shall either—

(a) recommend to the Board that the complaint be referred to the Committee; or

(b) recommend to the Board that no further action be taken, if he is of the opinion that the complaint is frivolous or without basis or, if proven, would not constitute conduct unbecoming a Land Surveyor.

(4) Where the Registrar-Secretary recommends that no further action be taken on any complaint, he shall forthwith forward to the Board the complaint, a statement of the circumstances disclosed by any investigation made thereon, and a copy of his recommendation.

(5) Whenever the Board decides that no further action be taken regarding a complaint, it shall immediately inform the complainant of its decision.

(6) The Board's decision that no further action be taken regarding a complaint shall be final.

Laying of charge.

43. If the Board does not decide that further action should not be taken regarding a complaint on the ground that the complaint is without basis or, if proven, would not constitute conduct unbecoming a Land Surveyor, it shall direct that the Registrar-Secretary lay a charge of conduct unbecoming a Land Surveyor containing particulars of the complaint against the person registered under this Act.

Conduct of meetings.

44. (1) The Chairman shall preside at meetings of the Committee.

(2) Each member of the Committee shall be entitled to one vote on a matter arising for determination.

(3) A decision carried by the votes of a majority of the members of the Committee shall be a decision of the Committee.

(4) An act or proceeding by the Committee shall not be invalid by reason only of the subsequent discovery of a defect in the nomination or appointment of a member, but any such act or proceeding shall be as valid and effective as if the member had been duly nominated or appointed.

Protection from personal liability.

45. No member of the Committee is personally liable in any action or proceeding for or in respect of any act or matter done or omitted to be done in good faith in the exercise or purported exercise of the powers or the discharge or purported discharge of any duty under this Act.

Power of Board to investigate.

46. The Board may, of its own motion or upon the complaint of any person, cause the conduct of any Land Surveyor or Trinidad and Tobago Land Surveyor registered under this Act to be investigated by the Committee.

Committee established a tribunal.

47. (1) The Committee is established a Tribunal for hearing disciplinary matters under this Act.

(2) The jurisdiction and powers of the Tribunal may be exercised by the Chairman and not fewer than two other members of the Committee selected for that purpose by the Chairman.

(3) For the purpose of effectively determining the merits and justice of any complaint, the Tribunal has all the privileges and may exercise all the powers of the Committee.

(4) Each member of the Committee or Tribunal shall be entitled to one vote on a matter arising for determination.

(5) A decision carried by the votes of a majority of the members of the Committee or Tribunal shall be a decision of the Committee or Tribunal as the case may be.

(6) For the purpose of effectively determining the merits and justice of any complaint, the Tribunal has all the privileges and powers of the Committee.

Cause for disciplinary action.

48. Where a Land Surveyor registered under this Act—

(a) has obtained his registration by reason of misrepresentation;

(b) has been convicted of an offence under the repealed Ordinance or this Act or any offence involving dishonesty; or

(c) has, in his practice of surveying, conducted himself unprofessionally, or been guilty of conduct unbecoming a land surveyor,

disciplinary action may be taken against him.

Unprofessional, unbecoming conduct.

49. For the purposes of this Act, the following conduct is deemed unprofessional and unbecoming a surveyor:

(a) acting as a professional agent of a person not qualified to practise as a surveyor and using or permitting his name to be used in any such agency;

(b) doing any act that is calculated to or makes a person believe that a person who is not a surveyor is entitled by law to practise surveying and charge fees accordingly;

(c) falsely certifying as to the service and practical experience under articles of a Land Surveying Graduate;

(d) failing or neglecting to—

(i) instruct a Land Surveying Graduate;

(ii) supervise the work of a Land Surveying Graduate; or

(iii) ensure that a Land Surveying Graduate obtains practical experience in land surveying in the manner prescribed;

(e) failing to answer promptly correspondence received from the Board or from the Committee;

(f) doing any other act which under this Act is considered to be unbecoming and unprofessional conduct.

Hearings.

50. (1) The Disciplinary Committee shall hear the charge against a person registered under this Act.

(2) Meetings of the Committee shall be held in private.

(3) The Committee shall give to a surveyor registered under this Act, in relation to whom a hearing is to be held, and to any person upon whose complaint a hearing is held, not less than fourteen days notice of the time and place at which it intends to conduct the hearing.

(4) The notice shall be served by registered post and contain a copy of the charge that forms the subject of the hearing.

Right to an Attorney-at-law.

51. (1) A person to whom notice has been given pursuant to subsection 50(4) may be represented by an Attorney-at-law at the hearing and shall be afforded reasonable opportunity to call or give evidence, to examine or cross-examine witnesses and to make submissions to the Committee.

(2) If a person to whom notice has been given does not attend the hearing, the Committee may hold the hearing in his absence.

Incidental powers of Committee.

52. For the purposes of a hearing under this Part, the Disciplinary Committee may—

(a) by summons signed on behalf of the Committee by a member of the Committee, require the attendance before it of any person whom the Committee thinks fit to call before it;

(b) by summons signed on behalf of the Committee by a member of the Committee, require the production of any books, papers or documents;

(c) inspect any books, papers or documents produced before it, and retain them for such reasonable period as it thinks fit, and make copies of any of their contents;

(d) employ assessors for the better evaluation of evidence of a technical nature tendered at a hearing;

(e) require any person to make an oath or affirmation that he will truthfully answer all questions put to him before the Committee relevant to any matter being heard by the Committee, which oath or affirmation may be administered by any member of the Committee; and

(f) require any person appearing before the Committee to answer any relevant questions put to him by any other member of the Committee or by any other person appearing before the Committee.

Contempt.

53. (1) Any person who—

(a) has been served with a summons to attend a hearing of the Committee and neglects or fails to attend;

(b) has been served with a summons to produce any books, papers or documents and neglects or fails to comply;

(c) misbehaves before the Committee, wilfully insults the Committee or any member thereof or interrupts the proceedings of the Committee; or

(d) refuses to be sworn or to affirm or to answer any relevant question, when required to do so by the Committee,

is liable, on application made to a Judge of the High Court, to committal for contempt and may be punished for contempt of that Court.

(2) Where the person referred to in subsection (1) is a person registered under this Act, his failure to attend or to produce books or documents or his interruptions or other misbehaviour before the Committee or his refusal to be sworn or to affirm or to answer questions may constitute professional misconduct.

Dispositions where proper cause for disciplinary action exists.

54. (1) If, after conducting a hearing the Committee is satisfied that the cause for complaint against the surveyor was justified it may—

(a) admonish the person in relation to whom the hearing was held;

(b) reprimand that person;

(c) require him to give an undertaking to refrain from continuing or repeating the conduct which is found to have constituted conduct unbecoming a surveyor;

(d) impose a fine not exceeding five thousand dollars;

(e) order him at his own cost, to correct within such time as the Committee directs, any work that was the subject of the hearing and was found to be defective or, where the Committee finds that the actions or instructions of the complainant have contributed to deficiencies in the work, apportion the cost of any necessary correction between the complainant and the surveyor in proportion to their responsibility;

(f) order that he pays, within such time as the Committee directs, the whole or any part of the cost of correction of any work that was the subject of the hearing and was found to be defective;

(g) order that his registration be suspended either absolutely or conditionally or in the case of the holder of a certificate of authorisation that the certificate be suspended either absolutely or conditionally;

(h) order that his registration be revoked or in the case of the holder of a certificate of authorisation that the certificate be revoked.

(2) Where the Committee is satisfied that cause for disciplinary action exists and imposes any of the penalties under subsection (1), it may further order the surveyor to pay the whole or any part of the expense of investigations made by or on behalf

of the Committee, the expenses incurred by the Committee in conducting the hearing and expenses incidental to the hearing of any person who complained to the Committee or appeared at the hearing and where the complaint is dismissed on the ground that it is frivolous or vexatious, the Committee may order the complainant to pay the surveyor such costs as the Committee thinks just.

(3) Where the Committee makes an order for the payment of any amount against a surveyor registered under this Act and the amount is not paid within the time fixed by the Committee, the Committee may order the suspension of the registration of that person until the amount is paid or for such period as the Committee thinks fit.

(4) Where the Committee has ordered the payment of any amount, that amount shall be recoverable summarily.

(5) Where the Committee makes an order under subsection (1), it is the duty of the Board to give effect to that Order.

PART IX

OFFENCES AND PENALTIES

Offences and penalties.

55. (1) Subject to this section, any person not being registered in accordance with Part IV and who—

(a) assumes, either alone or in conjunction with any other words or letters, the name or title of "Land Surveying Graduate", "Land Surveyor", or "Trinidad and Tobago Land Surveyor";

(b) does anything, or causes, suffers or permits anything to be done, that is likely to cause a person reasonably to believe that he is registered as a Land Surveyor or Trinidad and Tobago Land Surveyor; or

(c) engages in the practice of surveying and is not acting under the personal supervision of a person registered under this Act,

commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for six months.

(2) Any person who, without lawful excuse—

(a) alters, moves, disturbs, or wilfully damages or destroys any boundary beacon/monument, bench mark, reference mark, signal station, trigonometrical station or other survey mark intended to be permanent and erected or placed for the purpose of or in connection with any survey operations, whether such boundary beacon/monument, bench mark, reference mark, signal station, trigonometrical station or other survey mark, is upon his own land or not; or

(b) erects or places any boundary beacon/monument on land except under the supervision of a Trinidad and Tobago Land Surveyor, whether his intention is to alter the boundary of any land or to cause deception as to any boundary line or not,

commits an offence and is liable on summary conviction to a fine of ten thousand dollars.

(3) Any person who—

(a) obstructs or causes any lawful survey of land to be obstructed whether by force or threats, or in any other manner;

(b) molests a Trinidad and Tobago Land Surveyor or his assistant while they are engaged upon any lawful survey of land, commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for six months and, in the case of a continuing offence, to a fine of one thousand dollars for each day on which the offence continues.

(4) Every person who is convicted of an offence under this section shall, in addition to any penalty to which he may be liable, be liable to pay the cost, including associated survey costs of repairing, replacing, or restoring to its proper position any survey mark or restoring the markings on any survey mark that is the

subject of the offence for which he is convicted and such cost shall be assessed by the Magistrate and recoverable as if it were a fine.

(5) Except where expressly provided otherwise, proceedings for an offence under this Act shall be disposed of summarily.

(6) Proceedings under this section or under section 53 may commence within two years from the time when the matter of the complaint arose.

Liability for interference with survey mark where no offence alleged.

56. (1) Where it is alleged that any person has taken, destroyed, or altered the position of or markings on any survey mark that has been placed or set up for the control of surveys or for the purposes of any survey conducted under or for the purposes of this or any other Act, and it is not alleged that the person has committed any offence against section 52 the person shall nevertheless be liable to pay the costs including associated survey costs of repairing, replacing, or restoring to its proper position any survey mark, or restoring the markings on any survey mark, that he has taken, destroyed, or altered.

(2) Where subsection (1) applies, proceedings for the recovery of any amount claimed to be payable under that subsection shall be by way of complaint under the Summary Courts Act by a person authorised in that behalf by the Director of Surveys.

Ch. 4:20.

(3) Where any person is liable to pay any amount under this section by reason of any act or omission arising within the scope and in the course of his employment, the employer of that person shall pay the appropriate costs which may be recovered in the same way as if the act or omission were that of the employer.

(4) The cost of repairing, replacing, or restoring any survey mark or restoring the markings, on any survey mark shall be assessed by the Magistrate who hears the complaint.

Offences in respect of aerial surveying.

57. (1) Any person who contravenes the provisions of section 15(1) or (4) or who fails to comply with any conditions, restrictions, or limitations imposed by the Director of Surveys under section 15(2) is guilty of an offence and liable upon summary

conviction to a fine of one hundred thousand dollars and to imprisonment for six months.

(2) Where a person is convicted of an offence under subsection (1) the Court may, in addition to any other penalty imposed, order that—

(a) any media and associated records used for capturing images and other data concerning Trinidad and Tobago and all material and reports be forfeited to the State to become part of the public records;

(b) any instrument or equipment used in connection with the capture of images and other data concerning Trinidad and Tobago in committing the offence;

(c) any aircraft used in committing the offence,

be forfeited to the State, and be destroyed, be sold and the proceeds thereof paid into the Consolidated Fund, or be otherwise disposed of as the Minister may direct.

PART X

APPEALS

Appeals.

58. (1) An appeal to the High Court shall lie against a decision or order of the Board or the Disciplinary Committee made in the exercise or purported exercise of any powers or functions under this Act except that no appeal shall lie against the Board's assessment of academic qualifications, training or relevant experience of any application for registration under this Act.

(2) An appeal shall be instituted within one month of the making of a decision by the Board or Disciplinary Committee.

Reasons for decisions.

59. (1) The Board or the Committee shall, if so required by any person affected by a decision or order made by it, state in writing the reasons for its decision.

(2) If the reasons of the Board or the Committee are not given in writing at the time of its decision and, within fourteen

days thereafter, the person affected requests the Board or the Committee to state its reasons in writing, the time for instituting an appeal shall run from the time when the written statement of those reasons is issued.

(3) Written reasons for the decision of the Board or Committee shall be delivered within thirty days of the receipt of the request therefor.

Power to stay operations of Orders.

60. Where an Order has been made by the Board or Committee and there is an appeal to the High Court, the Court may suspend the operation of the Order until determination of the appeal.

PART XI

GENERAL

Right to compensation.

61. The provisions of this Act do not affect, limit or restrict the right of any person to compensation for actual injury or damage caused by any person exercising the power conferred on him under this Act.

Funding of Administration of Act.

62. With the exception of the Compensation Fund all expenses for the administration of this Act shall be met from the appropriations for the Lands and Surveys Division.

Certificate of Secretary.

63. (1) In any legal proceeding a certificate under the hand of the Registrar-Secretary as to any matter contained in a register shall, in the absence of proof to the contrary, be accepted as proof of the matter so certified.

(2) A document purporting to be a certificate under subsection (1) shall, in the absence of proof to the contrary, be accepted as such in all legal proceedings.

Regulations.

64. Subject to the approval of the Minister, the Board may make Regulations for carrying out the purposes of this Act and for giving full effect to its provisions and, without limiting the generality of the foregoing, may—

(a) prescribe the professional qualifications and experience required for registration under this Act;

(b) prescribe any matter or thing relating to the supervision of Land Surveying Graduates by land surveyors;

(c) prescribe the fee for registration and for the issue of any certificate and the amount of any annual or other fee to be paid by persons registered under this Act;

(d) prescribe any matter or thing relating to the establishment and maintenance of survey marks and boundary beacon/monuments,

(e) prescribe any matter or thing relating to the accuracy of surveys;

(f) fix the unit of measure to be used on general plans and diagrams;

(g) prescribe the form, system, maintenance and use of the Register of Surveys;

(h) provide for the collection and recording of any information in respect of land;

(i) prescribe any form for the purposes of this Act;

(j) prescribe penalties not exceeding two thousand dollars for contravention of, or failure to comply with any regulation.

SUBSIDIARY LEGISLATION

LAND SURVEYORS REGULATIONS

ARRANGEMENT OF REGULATIONS

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FIRST SCHEDULE.
SECOND SCHEDULE.
THIRD SCHEDULE.

[Subsidiary]

275/1998.

LAND SURVEYORS REGULATIONS

made under section 64

Citation.

1. These Regulations may be cited as the Land Surveyors Regulations.

Interpretation.

2. (1) Unless the context otherwise appears the definitions given in section 2 of the Act shall apply to these Regulations.

(2) In these Regulations—

"the Act" means the Land Surveyors Act;

"Central Plan Office" means the office established in the Department of Lands and Surveys for receiving, registering and filing survey plans and other survey information;

"certified correct" when accompanied by the signature of the Member who signed the statement, is a statement of responsibility and means that the survey and all associated work and documentation to which the statement applies were made under the immediate supervision of the Member who signed the statement, in accordance with instructions, requirements and standards for surveys applicable to the purposes for which the survey work was made; in accordance with instructions, of the client (unless there is a statement by the client, accompanying the member's statement on the documentation of the survey or other work to the effect that the work was completed in accordance with the instructions of the client); are correct and true to the best of the surveyor's knowledge;

"Continuing Professional Development" means the systematic maintenance, improvement and broadening of knowledge and skill in the development of personal qualities necessary for the execution of the professional and technical duties throughout the practitioner's working life;

"field notes" means the original record of the field data collected in writing, digitally, or in any other form, in connection with any survey;

"major categories of survey" includes cadastral surveying, engineering surveying, geodetic surveying, hydrographic surveying, geographical and land information systems, cartography, land management, photogrammetry, and any other land surveying discipline recognised by the Board and the Institute of Surveyors of Trinidad and Tobago;

"person" includes a body corporate;

"supervision" means the personal attendance on the site of the survey, or in the office, for such time during the course of the work and the exercise of such immediate oversight and direction as to ensure personal involvement in the survey;

"surveying" in all major categories includes the preparation of all plans and reports; or giving advice and/or certificates on all aspects of the survey;

"UWI" means the Department of Surveying and Land Information of the University of the West Indies, St. Augustine, Trinidad and Tobago.

Qualifications for registration as Land Surveying Graduate.

3. (1) A person of good character and reputation who—

(a) has graduated or passed the examinations entitling him to graduate in the degree of Bachelor of Science in Land Surveying from the UWI; or

(b) has graduated, or passed an examination entitling him to graduate in a land surveying degree accepted by the Board, which must be at least the equivalent of the degree offered by the UWI,

may be registered as a Land Surveying Graduate.

(2) Subject to the requirements of section 18(1) of the Act, no person shall remain a Land Surveying Graduate for a period greater than five years without the approval of the Board.

(3) An application for registration as a Land Surveying Graduate shall be in the form set out in Form 1 of the First Schedule and shall be accompanied with proof of payment of the fees prescribed in the Second Schedule.

First Schedule. Form 1.

Second Schedule.

Qualifications for registration as a Land Surveyor.

4. (1) A fit and proper person of good character and reputation who has—

(a) been registered as a Land Surveying Graduate; or

(b) graduated, or passed an examination entitling him to graduate in a surveying degree accepted by the Board, which must be at least the equivalent of the degree offered by the UWI and has passed the subject in the category of surveying in which he is seeking registration;

(c) completed any professional assessment projects as prescribed;

(d) completed the practical experience as prescribed;

(e) passed any other written or oral examination;

(f) undertaken such additional practical experience as the Board may require; and

(g) satisfied any other condition specified in the Act or these Regulations,

may be registered as a Land Surveyor.

First Schedule. Form 2.

(2) An application for registration as a Land Surveyor shall be in the form set out in Form 2 of the First Schedule and shall be accompanied with proof of payment of the fees prescribed in the Second Schedule.

Second Schedule.

Qualifications for registration as Trinidad and Tobago Land Surveyor.

5. (1) A fit and proper person of good character and reputation who has—

(a) been registered as a Land Surveying Graduate;

(b) obtained at least a First Degree in Land Surveying and has passed the subject cadastral studies;

(c) completed twenty-four months practical experience in cadastral surveying under the supervision of a Trinidad and Tobago Land Surveyor approved by the Board;

(d) completed a professional assessment project in cadastral surveying approved by the Board;

(e) passed any oral or written examination prescribed by the Board;

(f) been licensed or registered as a land surveyor in another Commonwealth State for more than 15 years; and

(g) satisfied any other condition specified in the Act or in these Regulations,

may be registered as a Trinidad and Tobago Land Surveyor.

(2) An application for registration as a Trinidad and Tobago Land Surveyor shall be made in the form set out in Form 3 in the First Schedule and shall be accompanied with proof of payment of the fees prescribed in the Second Schedule.

First Schedule. Form 3.

Second Schedule.

6. (1) The Register of all Land Surveying Graduates, Land Surveyors, Trinidad and Tobago Land Surveyors as referred to in section 20 of the Act shall be maintained with the following information:

Public Registers.

(a) the name(s) of Certificate holder;

(b) the date of issue of first Certificate;

(c) the addresses and telephone numbers;

(d) the date of issue of Certificate;

(e) the status of Certificate;

(f) the status of licence;

(g) the notations requested by the Board and notations requested by the Disciplinary Committee;

(h) proof of indemnity insurance coverage, or proof of exemption therefrom;

(i) information with respect to any claim against the Certificate holder for professional indemnity; and

(j) such other information which the Board may require.

(2) In the case of Corporations, Partnerships, or Associations of persons, the following additional information shall be included in the Register:

(a) name(s) of member(s) who will be personally responsible for the professional surveying services;

(b) evidence of its professional responsibility to the satisfaction of the Board that the practice of professional surveying will be carried on under the direct responsibility of a full-time permanent employee member, or a partner who is a member, who holds a licence issued by the Board, of indemnity insurance coverage, or proof of exemption therefrom;

(c) name(s) of member(s) who will be personally responsible for the professional surveying services.

Applications for registration for individuals.

7. A person who wishes to be registered as a Land Surveyor under this Act shall submit—

(a) an application in writing to the Board for registration as a land surveyor;

(b) the fees prescribed in the Second Schedule;

(c) a copy of any registration certificate authorising the person to survey lands within any other country, as applicable;

(d) certification of good character as evidenced by the provision of one or more of the following:

(i) a police record statement;

(ii) a letter of recommendation from a member of the clergy, a doctor, an attorney or other professional, or senior Government Officer, or any person acceptable to the Board; and

(e) any other information required by the Board.

Applications for registration for corporations, partnerships or associations of persons.

8. (1) A corporation, partnership or association of persons as specified in section 27 of the Act may apply for registration by fulfilling the following requirements:

(a) an application to the Board for registration;

(b) evidence of its professional responsibility to the satisfaction of the Board that the practice of surveying will be carried out under the direct responsibility of a full-time permanent employee who is registered under this Act in the appropriate field;

(c) the applicant's registration number, current office or registered address;

(d) the fees prescribed in the Second Schedule; Second Schedule.

(e) the name or names of the surveyors who will be personally responsible for surveying services;

(f) any other material required by the Board.

(2) A Government organisation is exempt from any requirement to register.

(3) An application for registration as a corporation, partnership, or association of persons shall be in the form set out in Form 4 of the First Schedule. First Schedule. Form 4.

(4) The Board shall, upon registration of an applicant as a surveyor, issue a Certificate of Registration in the form set out in Form 5 of the First Schedule. First Schedule. Form 5.

Use of Title.

9. No person shall use the title "Trinidad and Tobago Land Surveyor" or the initials T.T.L.S. in connection with the name of the corporation, partnership, firm, association or other entity, unless the person holds a licence issued by the Board pursuant to the Act and these Regulations.

Application for renewal of registration. First Schedule. Form 6.

10. An application for renewal of registration as specified in section 18 of the Act shall be in the form set out in Form 6 of the First Schedule.

Second Schedule.

11. Fees prescribed in the Second Schedule shall apply to the registration of surveyors and for other purposes set out in these Regulations.

Professional Indemnity.

12. (1) Every Registered Land Surveyor and Trinidad and Tobago Land Surveyor shall carry indemnity insurance in Indemnity in accordance with the Act, unless similarly protected by virtue of employment, he shall be insured through any other policy that meets the Board's requirements.

(2) The policy limit for each employee shall be as determined by the Institute of Surveyors from time to time.

(3) Every member holding a policy, shall inform the Registrar-Secretary immediately upon notice of a claim or an impending claim under it.

(4) A policy shall provide at least minimum coverage required under subregulations (1) and (2) and shall contain a clause that the Board shall be given thirty (30) days notice before the policy is cancelled or altered.

(5) Every member who is protected by insurance and liability by virtue of employment must furnish documentary evidence that the employer acknowledges the responsibility.

(6) Where an employee or a Director of a Company or a partner of a firm is permitted to work for his own gain, the employer or the company or the firm shall also acknowledge that the coverage will be in force outside of the employment or state duty.

Compensation Fund.

13. Prior to registration and renewal of registration every year, the following sums shall be paid to the Board for the use of the Trustees of the Compensation Fund—

(a) in the case of a Trinidad and Tobago Land Surveyor the sum of two hundred and fifty dollars ($TT250.00);

(b) in the case of a Registered Surveyor the sum of two hundred and fifty dollars ($TT250.00),

or such other sums as may from time to time be fixed by the Minister by Order, provided that a Surveyor who is in the service of the

Government of Trinidad and Tobago as such and who does no surveying work for reward on his own account, shall be exempt from this payment.

Code of Ethics. Third Schedule.

14. All persons registered under this Act shall abide by the Code of Ethics set out in the Third Schedule.

Continuing professional development.

15. (1) Every Surveyor shall, for so long as he is registered under the Act, undergo in each year continuing professional development, in accordance with this Regulation.

(2) Every Registered Surveyor shall prove to the satisfaction of the Board that he has completed sixty hours of continuing professional development in every consecutive period of (3) three years computed as follows:

(a) the time attributed to any event shall be the duration from the formal opening to the formal closing of any activity, calculated to the nearest half-hour;

(b) when an activity extends over more than one day, only the formal teaching sessions may be counted;

(c) when a member attends for only part of an activity only the time attended shall be counted;

(d) time recorded in subregulation *(a)* can constitute no more than two-thirds of the total requirement;

(e) time spent in administering a qualifying activity shall not be counted.

(3) Members who have completely retired from practice are exempted from these requirements.

(4) Every Surveyor shall be responsible for maintaining a record of his participation in qualifying activities, including where relevant, the dates, times, subject matter, speakers and total time computed.

(5) Every Surveyor shall keep the record for three years after the qualifying activity and forward a copy to the Board when so requested.

(6) Continuing Professional Development, in these Regulations is referred to as "activity", may take the following forms:

(a) courses and technical meetings organised by:

(i) the Institute;

(ii) Universities, Polytechnics, or other colleges;

(iii) employers of Registered Surveyors;

(iv) other professional bodies;

(v) other relevant Course Providers;

(b) discussion meetings on technical topics;

(c) private studies of a structured nature on specific themes which includes prescribed pre-course reading;

(d) correspondence courses, open University courses, or other supervised study packages;

(e) research or post-qualification studies;

(f) authorship of published technical work or the time spent in the preparation or delivery of lectures in connection with a qualifying Continuing Professional Development event or other similar professional or technical meetings.

(7) To qualify for Continuing Professional Development, the activities described above shall be related to:

(a) technical topics related to a member's current or potential occupation;

(b) personal or business skills designed to increase a member's management or business efficiency.

Transitional provisions.

16. (1) Every candidate who before the day these Regulations came into effect received from the Board written or verbal notification of admission as a candidate may continue to be examined in accordance with the existing Regulations

that were in force on the day before these Regulations came into effect.

(2) Every person who is registered, or eligible to be registered under the Act and who before these Regulations came into effect has been engaged in the practice of land surveying may continue to operate in that field as he did on the day before these Regulations came into effect until such time his operation can be registered under these Regulations.

Practical experience required by persons applying to become Land Surveyors or Trinidad and Tobago Land Surveyors.

17. (1) Every applicant for registration as a Land Surveyor or Trinidad and Tobago Land Surveyor, shall be required to prove to the Board that he has at least two years experience in his major category of surveying.

(2) An applicant shall not commence any period of practical experience unless the practical experience proposed is first approved by the Board.

(3) An application for approval of proposed practical experience shall be in the form set out in Form 7 of the First Schedule.

First Schedule. Form 7.

Typical projects to be undertaken by applicant for registration.

18. (1) A registered surveying graduate may apply to the Board for status in any or all of the projects completed by him as a student in lieu of the corresponding student project required to be undertaken pursuant to this regulation.

(2) A student or applicant may submit a project to the Board for consideration in fulfilment of the requirements for examination once it can be proved that the project submitted is in accordance with the applicant's professional competence and is representative of the applicant's field of endeavour.

(3) A completed project shall not be submitted to the Board for approval by a Graduate until two years of practical experience as a Land Surveying Graduate.

(4) Each completed project shall be accompanied by a certificate in the form set out in Form 8 in the First Schedule.

First Schedule. Form 8.

Examination for Registration as a Land Surveyor or a Trinidad and Tobago Land Surveyor.

19. The following subjects may be included in an examination to be registered as a Land Surveyor or as a Trinidad and Tobago Land Surveyor:

(a) Acts and Regulations relating to property surveys within Trinidad and Tobago and its continental shelf;

(b) property ownership, title rights and land transfer systems in Trinidad and Tobago;

(c) any matter relating to the category of surveying in which he is seeking to be registered.

Applications for examination (all classes).

20. (1) No candidate for registration shall be examined by the Board in any subject specified by the Board as being prerequisite for receiving registration, unless the candidate has, in accordance with these Regulations, rules and instructions of the Board—

(a) submitted an application to be examined;

(b) paid all the fees required in respect of the examination;

(c) complied with all requirements relating to the examination.

First Schedule. Form 9.

(2) An application for examination shall be made in the form set out in Form 9 of the First Schedule.

Examination rules.

21. (1) No person shall be admitted as a candidate unless the evidence furnished for registration is acceptable to the Board.

(2) Pursuant to subsection (1), the information supplied must indicate achievement to at least the level of education obtained by a graduate in a surveying technology from a college or other educational institution recognised by the Board, or the equivalent thereof.

(3) The Board may admit a person to be a candidate if the information required by the Board is satisfactory and complies with the requirements of the Regulations.

(4) Subject to any exemption from subjects authorised by these Regulations or by the Board, a candidate is required,

within a period of not more than seven years, to pass an examination to be determined by the Board.

(5) An applicant who fails to comply with the requirements given above, shall cease to be a candidate, and in order to re-qualify he may reapply for admission as a candidate.

(6) The Board may reject an application where it finds that the applicant has been guilty of fraud in an examination, or has inaccurately reported academic qualifications.

(7) Every person aggrieved by a decision of the Board may appeal to the Board for a review of that decision.

(8) Pursuant to subregulation (7), the person shall make a written application to the Registrar-Secretary within twenty-one (21) days of the receipt of the decision, with such fees as specified in the Second Schedule.

(9) Where specific evidence is presented to support an appeal under subregulation (8), the Board shall review the decision in accordance with the material presented.

Examination arrangements.

22. (1) The Board shall meet prior to each examination cycle to confirm or approve arrangements for examinations.

(2) All examinations shall be conducted in accordance with the rules published and instructions issued by the Board from time to time.

(3) Examinations shall be held at such places and at such times as the Board may determine but where no other arrangements are made, they shall commence on the day following the second Monday in the month of April of each year and continue on successive days exclusive of Saturday and Sunday until completed.

Council of examiners.

23. (1) The Board may appoint a Council of Examiners and where such examiners are appointed, the Council shall be composed of—

(a) a member of the Board, who shall preside over the Council; and

(b) four qualified and registered members.

(2) The four members appointed by the Board shall have adequate training and recent practical experience in one or more of the major fields of professional surveying.

(3) The Board may appoint qualified persons as special examiners to prepare examination papers and to appraise the response of the candidates in regard to specialist or ancillary subjects.

Authorised seal.

24. (1) Every Registered Land Surveyor and every Registered Trinidad and Tobago Land Surveyor shall obtain from the Registrar-Secretary an authorised seal to be used in the certification of plans, drawings, reports and documents.

(2) Pursuant to subregulation (1) the seal shall be returned to the Registrar-Secretary upon suspension or revocation of a Surveyor's registration.

(3) A hard copy of every survey plan or report submitted to every client shall be stamped (or embossed) with the Surveyor's seal.

(4) The seal shall be applied to every cadastral plan, which shall be registered with the Director of Surveys before it is supplied to any client.

(5) The seal shall attest to the status of the following information concerning the surveyor:

(a) Current registration;

(b) Compensation Fund Contribution;

(c) Professional Indemnity Insurance coverage.

(6) Where the surveyor is covered for the items outlined in subregulation (5) by virtue of employment, the document to be registered shall also bear the authorised stamp of the Company or Firm of which the Registered Surveyor is an employee, a partner or an associate.

Certification of documents.

25. (1) Every Registered Land Surveyor or Registered Trinidad and Tobago Land Surveyor shall certify reports, or field notes of surveys, or corresponding documents, with—

(a) a statement of professional responsibility; and

(b) the signature of the surveyor.

(2) Statement of professional responsibility may be in any form, including the form "certified correct", but unless it is in the form "certified correct", it shall specifically identify the responsibilities accepted by the Land Surveyor, as those responsibilities appear in the definition of "certified correct".

(3) When a boundary of legal rights in Trinidad and Tobago is defined by a survey using geodetic, hydrographic, photogrammetric or other techniques for which the returns may not be a conventional plan and field notes of survey, the member shall certify the documentation of the work in accordance with the meaning of "certified correct" in subregulation (2).

(4) All plans, reports, or other documentation produced under the supervision of a surveyor who is a partner, associate or employee of a holder of a Certificate of Authorisation shall, in addition to the certification requirements of subregulation (1), bear the certificate number of the certificate holder.

Cadastral Surveys precautions to be taken to safeguard survey marks.

26. (1) Where any person proposes to carry out any work likely to interfere with any survey mark, he shall take all necessary precautions to ensure that any such survey mark is not interfered with, during the course of the work.

(2) Where the work is likely to interfere with any permanent survey mark the person proposing to carry out the work shall give at least ten working days notice to the Director of Surveys, who shall forthwith take all necessary steps to safeguard such permanent survey mark and the proposed work shall not commence until such steps have been taken.

(3) The cost of any work carried out by the Director of Surveys pursuant to subregulation (2) may be recovered from the person carrying out the work.

(4) As an alternative to subregulation (2), the person proposing to carry out the work may engage a land surveyor to safeguard any permanent survey mark, in which event he shall include the name of the land surveyor in the notice to the Director of Surveys required pursuant to subregulation (2).

(5) It shall not be an offence against this regulation to remove any survey mark defining a boundary to allow a fence,

wall or other permanent improvement to be erected along the boundary, but due notice in writing shall be given to the Director of Surveys.

Reinstatement of survey marks by Trinidad and Tobago Land Surveyors.

27. (1) In the event of any survey mark being interfered with, whether or not during the course of any work, the person responsible for the interference shall forthwith advise the authority which placed the mark, or, if the authority is not known, the Director of Surveys or engage a Trinidad and Tobago Land Surveyor to reinstate the mark where practicable.

(2) Where the mark is one placed to define a boundary established in the course of a prescribed cadastral survey, the Director of Surveys shall be advised or a Trinidad and Tobago Land Surveyor be engaged to reinstate the mark.

(3) Any person who fails to comply with the provisions of subregulation (1) or (2) shall be guilty of an offence.

(4) Any person other than a Trinidad and Tobago Land Surveyor, who reinstates or attempts to reinstate a survey mark which has been interfered with, shall be guilty of an offence.

(5) If a Trinidad and Tobago Land Surveyor reinstates any permanent survey mark in the same or an alternative position, he shall forthwith deposit a plan with the Director of Surveys showing the new position in relation to the original position.

Recovery of buried survey marks.

28. It shall be lawful for a Trinidad and Tobago Land Surveyor to break up the surface of any land whether paved or not to the extent necessary to reveal any survey mark which he believes to be buried under the surface.

Surveys to be made in accordance with Regulations.

29. (1) All surveys shall be made in accordance with existing Regulations.

(2) Every survey shall be carried out by a surveyor personally or by assistants under the supervision of a surveyor.

Survey of State lands.

30. Except for redefinition surveys, no surveyor shall survey State lands without obtaining a Survey Order from the Director of Surveys.

Survey to obtain all information.

31. Prior to commencing any survey, the Trinidad and Tobago Land Surveyor shall obtain all information relevant to the proposed survey from those records normally available in the Land and Surveys Department and the office of the Registrar General.

Survey to disclose all doubts and discrepancies.

32. Where a Trinidad and Tobago Land Surveyor considers that any doubt or discrepancy associated with a survey is relevant he shall disclose that doubt or discrepancy on his plan and in a written report to the Director of Surveys.

Check Surveys.

33. (1) For the purpose of ensuring that any survey complies with these Regulations, the Director of Surveys may cause a check survey to be made.

(2) Before commencing the check survey, the Director of Surveys shall advise the surveyor responsible for the survey to carry out a check and in all cases the checking officer shall be a Trinidad and Tobago Land Surveyor (T.T.L.S.) appointed with prior notice to the surveyor responsible for the survey.

(3) Where the surveyor appointed to carry out the check survey is not acceptable to the surveyor responsible for the survey, he may, within two weeks of the notification, inform the Director of Surveys his objection to the check survey by the T.T.L.S. setting out the reasons for his objection; and the Director of Surveys, if satisfied with the reasons, shall appoint another T.T.L.S. to carry out the check survey.

Requisitions.

34. The Director of Surveys or the Board may request any surveyor to amend any patent error on his plan, invite comment or explanation on any apparent discrepancy or ambiguity, and following any comment or explanation, may request him to carry out additional survey or submit additional information, and the surveyor shall comply with all requests as promptly as practicable.

Principles to be observed.

35. (1) Boundaries as originally marked are for all purposes true boundaries.

(2) In the re-survey of existing boundaries, the surveyor shall observe the principle that the boundaries as defined by survey marks set by the original surveyor are the true boundaries even

where the survey marks are not the positions assigned to them by the data on the original plan.

(3) Notwithstanding the provisions of subregulation (2), if any difference mentioned in the said subregulation is positively identified as arising from the survey mark not having been set originally as intended, and if the plan of the original survey, and the evidence derived from the re-survey clearly show the intention, the surveyor making the re-survey may reset the mark in accordance with the original intention, provided that:

(a) the positions of improvements in relation to the amended boundary are not adversely affected;

(b) the consent of all owners affected is first obtained.

(4) The Trinidad and Tobago Land Surveyor shall disclose the discrepancy and the action taken on his plan in a written report to the Director of Surveys.

Differences in measurements.

36. Where a re-survey discloses difference in lengths of boundary measurements or areas recorded by previous surveys, the surveyor shall demonstrate that the difference is not due to encroachment on or by adjoining parcels of land.

Wider boundaries.

37. (1) Subject to the provisions of this Act or any other law to the contrary and unless there is evidence to the contrary a land surveyor shall delineate—

(a) the boundary of a parcel of land abutting the sea coast as the line of high water;

(b) the boundary of a parcel of land abutting a stream as the high bank of the stream determined at the normal level of the stream.

(2) In defining or redefining boundaries the Trinidad and Tobago Land Surveyor shall employ methods to achieve such accuracy as the purpose of the survey and the evidence available warrants.

Field work survey practice to ensure prescribed accuracy.

38. Surveys shall be carried out with such equipment and by such methods as shall readily attain the standards of accuracy

prescribed by these Regulations and land surveyors shall always apply such checks and tests to their work as to ensure that the said accuracy is attained.

All evidence to be collected.

39. All existing survey marks, fences, walls and other features providing or likely to provide evidence as the position of existing boundaries shall be included in any survey.

Field notes.

40. (1) Where necessary, field notes shall be reduced to a printed or written form suitable as a permanent record.

(2) The field notes shall constitute part of the permanent record of any survey and where they are collected in digital form the original shall be in a secure file and the surveyor shall prepare a printed record of the secure file.

(3) Every Registered Surveyor shall be responsible for the permanent custody of all field notes and of digital files prepared by him or under his supervision.

(4) A surveyor shall, on request in writing from the Director of Surveys or the Board, produce his field notes to the Director of Surveys within fourteen (14) days.

Field survey methods, accuracy, marks, plans.

41. (1) All rules for the execution of cadastral surveys, recording of field notes, and the preparation of cadastral plans shall be established from time to time, by the Board, in consultation with the Institute and the Director of Surveys.

(2) The rules shall include, but may not be limited to, such matters as:

(a) acceptable perimeter closure for testing the accuracy of field work;

(b) methods for the survey of irregular boundaries;

(c) the type, form, and placement of survey marks;

(d) datum lines for surveys;

(e) the units of measurement to be used on survey plans and the precision for distances, bearings, angles, areas and co-ordinates;

(f) the construction of survey plans, including scales, sizes, the type of material, the forms to be used;

(g) the data to be shown on survey plans;

(h) methods of collecting and recording field notes;

(i) the types of surveying equipment to be used on surveys.

Surveyor's certificate.

42. (1) The Trinidad and Tobago Land Surveyor responsible for any survey shall apply his seal to every plan of survey and certify to the accuracy of the plan.

(2) No Registered Land Surveyor shall give any certificate whether or not required by the Act or any regulation made under the Act relating to any survey unless the survey was carried out by him personally or under his supervision.

Survey notices.

43. (1) Before commencing any survey, the Trinidad and Tobago Land Surveyor, shall cause notice to be given to all proprietors of lands lying adjacent to the parcel being surveyed.

(2) The notice to be given shall include the name of the surveyor who will be carrying out the survey, and the date and the time of the survey.

(3) Where lands are to be brought under the provisions of the Real Property Act, the purpose of the survey shall be stated and the period of the notice shall be seven clear days but in all other instances three clear days notice shall be given.

Ch. 56.02.

(4) Nothing in this regulation shall prevent a Trinidad and Tobago Land Surveyor from carrying out a survey after giving reasonable notice to any neighbouring proprietor, in unforeseen or unavoidable circumstances.

FIRST SCHEDULE

[Reg. 3(3)].

FORM 1

LAND SURVEYORS REGULATIONS

APPLICATION FOR REGISTRATION AS A LAND SURVEYING GRADUATE

I, ... of .....

..... hereby apply for registration as a Land Surveying Graduate pursuant to regulation 3(1), 3(2) of the Land Surveyors Regulations.

*In support of my application, I enclose the following documentary evidence:

Dated this ..... day of ..... 20.....

.....
Signature of Applicant

* Copies of degrees, diplomas or other relevant certificates, official transcript and certificate of good character and receipt of payment.

[Reg. 4(2)].

FORM 2

LAND SURVEYORS REGULATIONS

APPLICATION FOR REGISTRATION AS A LAND SURVEYOR

I, ... of .....

..... hereby apply for registration as a Land Surveyor pursuant to regulation 4(1), of the Land Surveyors Regulations.

*In support of my application, I enclose the following documentary evidence:

Dated this ..... day of ..... 20.....

.....
Signature of Applicant

* Copies of degrees, diplomas, official transcripts and all relevant certificates including those relevant for the proof of Professional Indemnity Insurance, a certificate of good character and the prescribed fee.

FORM 3

[Reg. 5(2)].

LAND SURVEYORS REGULATIONS

APPLICATION FOR REGISTRATION AS A TRINIDAD AND TOBAGO LAND SURVEYOR

I, ... of .....

..... hereby apply to be registered as a Trinidad and Tobago Land Surveyor for the period January 1 to December 31, 20.....

*I enclose the prescribed fee of:

.....
Registered Surveyor

.....
Registrar

* Proof of Professional Indemnity Insurance coverage as well as Compensation funding is also to be included.

[Reg. 8(3)].

FORM 4

LAND SURVEYORS REGULATIONS

APPLICATION FOR REGISTRATION AS A CORPORATION, PARTNERSHIP OR ASSOCIATION OF PERSONS

We, ... of .....

.....

.....

.....

Hereby apply to be registered as a [ ] Corporation, [ ] Partnership, [ ] Association of persons, pursuant to regulation 8 of the Land Surveyors Regulations.

**In support of our applications, we enclose the following documented evidence:

.....
Authorised Signature and Stamp

** Proof of Professional Indemnity Insurance, name(s) of Registered Surveyor(s) who will be personally responsible for surveying services, and the prescribed fee.

FORM 5 [Reg. 8(4)].

LAND SURVEYORS REGULATIONS

LAND SURVEYORS BOARD OF TRINIDAD AND TOBAGO CERTIFICATE OF REGISTRATION

This is to certify that .....having satisfactorily completed the prescribed requirements, has been registered under the provisions of the Land Surveyors Act, Ch. 58:04, and is authorised to practise as a Surveyor in Trinidad and Tobago for the year .....

Sealed with the common seal of the Board.

This ..... day of ..... 20.....

.....
Registered Surveyor

FORM 6 (Reg. 10).

LAND SURVEYORS REGULATIONS

APPLICATION FOR RENEWAL OF REGISTRATION

I, ... of .....

..... hereby apply to be registered as a Land Surveyor pursuant to the provisions of regulation 10 of the Land Surveyors Regulations.*

I enclose the prescribed fee of:

Dated this ..... day of ..... 20.....

.....
Registered Surveyor

.....
Registrar

---

* Proof of Professional Indemnity Insurance coverage as well as Compensation funding is also to be included.

[Reg. 17(3)].

FORM 7

LAND SURVEYORS REGULATIONS

APPLICATION FOR APPROVAL FOR PROPOSED PRACTICAL EXPERIENCE

I, ... of ..... apply for approval to serve a period of ..... (state period) practical experience with Mr. ....., a registered surveyor. I propose to serve the period of practical experience in the major category of ..... Surveying pursuant to the Act.

Dated this ..... day of ..... 20.....

.....
Land Surveying Graduate

[Reg. 18(4)].

FORM 8

LAND SURVEYORS REGULATIONS

CERTIFICATE TO ACCOMPANY EACH COMPLETED PROJECT

I hereby certify that all field and office observations and notes, computations, plans, and reports were made by me personally with such assistance as were necessary in each operation; that the project was not copied from any material published or deposited in any public record; that the project was commenced ..... and completed on ..... My supervising officer and colleagues were .....
.....
.....

(Date) (Signature)

FORM 9

[Reg. 20(2)].

LAND SURVEYORS REGULATIONS

(To be submitted in duplicate)

APPLICATION TO BE EXAMINED FOR REGISTRATION OF A LICENCE TO PRACTISE AS A TRINIDAD AND TOBAGO LAND SURVEYOR

Name of Applicant .....
(Surname) (Other Names)

Date of Birth .....

Place of Birth .....

I.D. No. ..... Passport No. .....

Driver's Permit No. .....

Academic Qualifications	Dates
.....	.....
.....	.....
.....	.....
.....	.....

Experience in Major Categories	Dates
.....	.....
.....	.....
.....	.....
.....	.....
Proposer 2	.....

Proposer's Address .....

....
Signature of Applicant *Date*

NB: The candidate is requested to submit the originals of his transcript, birth certificate, passport, or ID card or driver's permit to the Secretary of the Board for verification. Originals will be promptly returned.

NOTE: If the candidate has been supervised by more than one Land Surveyor he should submit additional completed forms for each individual proposer.

(Reg. 11).

SECOND SCHEDULE

SCHEDULE OF FEES

FEES PAYABLE TO THE LAND SURVEYORS BOARD OF TRINIDAD AND TOBAGO

	$
1. Registration as a Land Surveying Graduate … … … …	150.00
2. Renewal of registration—Land Surveying Graduate … … …	100.00
3. Registration as a Registered Surveyor … … … …	500.00
4. Renewal of registration—Registered Surveyor … … …	300.00
5. Registration as a Trinidad and Tobago Land Surveyor … …	500.00
6. Renewal of registration —Trinidad and Tobago Land Surveyor …	300.00
7. Registration of a Corporation/Partnership/Firm … … …	100.00
8. Inspection of the Register … … … …	25.00
9. Certified copy of the Register … … … …	25.00
10. Application fee for examination for registration as a Land Surveyor or a Trinidad and Tobago Land Surveyor … … …	500.00
11. Appeal to the Board under regulation 21(8) … … … …	100.00

THIRD SCHEDULE

(Reg. 14).

CODE OF ETHICS

All persons registered under this Act shall abide by the following code of ethics:

Article 1.

1. Surveyors shall serve the public to the best of their knowledge and ability in order to provide accurate and efficient services for the development and/or peaceful enjoyment of Trinidad and Tobago's lands and resources.

Article 2.

2. They shall be honest and trustworthy:

(a) They shall maintain confidentiality with respect to their client's and employer's affairs during their services or employment and after the services or employment has been terminated.

(b) They shall not certify work that was not performed under their personal supervision.

(c) They shall not enter into any fee sharing arrangements without the knowledge and prior agreement of their clients.

Article 3.

3. They shall be vigilant upholders of the law relating to their profession:

(a) They shall not enter into any arrangement that would enable the unauthorised practice of their profession.

(b) They shall not knowingly and willingly become accessories to a failure to report any illegal practice of their profession to the Board or the Institute.

Article 4.

4. They shall avoid professional impropriety:

(a) They shall declare to their clients or employers any conflict of interest which impairs the quality of their service.

(b) They shall not knowingly let their names be used in association with persons or enterprises of dubious or doubtful ethics.

(c) They shall not accept compensation for the same service from more than one source without the full knowledge of all parties involved.

Article 5.

5. They shall agree to charge and accept only a fair and just compensation for their services:

(a) Their claims for compensation shall be commensurate with the professional and technical complexity of their services, their level of responsibility and liability.

(b) They shall make details relevant to their claims for compensation available to the client upon request.

Article 6.

6. Members shall maintain their competence, integrity and respect for their profession in their relation with their colleagues, clients, employees and the public:

(a) They shall assume professional responsibility for authorised works carried out by their non-professional staff.

(b) They shall cultivate into their employees or staff the utmost integrity and a clear understanding of the professional obligations of surveyors to the society.

(c) They shall provide their employees with good working conditions and just remuneration.

(d) They shall not further the application for admission to the profession of anyone whom they know to be unqualified by education or character.

(e) They shall refrain from public criticism of the conduct or practice of colleagues, but shall report any perceived misconduct or incompetence to the Land Survey Board.

(f) They shall keep adequate records of their work such that its quality can be judged by their colleagues.

(g) They shall not accept assignments beyond their competence or beyond the resources available to them to complete the assignments punctually and professionally.

(h) They shall limit their advertising to a level that provides adequate factual information.

Article 7.

7. They shall not be professionally involved in setting the boundaries of any land of which or contiguous with which he is the beneficial owner or to the owner of which he is in a fiduciary relationship, where a discretionary power as the fixing or replacement of boundaries of that land is involved.

Article 8.

8. They shall fulfil their duty of instructing a Land Surveying Graduate supervising the work of a Land Surveying Graduate or ensuring that a Land Surveying Graduate obtains practical experience in land surveying in the manner prescribed.

Article 9.

9. They shall respond promptly to correspondence received from the Board or from the Disciplinary Committee and provide information that as may be reasonably requested of them by the Board.

Article 10.

10. They shall not become associated in responsibility for work with surveyors who do not conform to the published code of conduct for members published in these Regulations:

(a) They shall not use the advantage of a salaried position to compete unfairly with another surveyor.

(b) They shall co-operate to the best of their ability in enhancing the profession of surveying by exchanging general information and sharing experiences with their fellow members and participate on a regular basis in the Continuing Professional Development programme as required by the Act.